

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

KEYBANK, N.A., et al.,

Plaintiffs,

vs.

ROBERT MCLAUCHLAN, et al.,

Defendants.

Case No. 2:10-cv-01423-RLH-PAL

**DISCOVERY PLAN AND  
SCHEDULING ORDER**

The court held a status conference on Plaintiff's Motion for a Status Conference (Dkt # 46) on December 14, 2010. Present at the hearing were David Wall, Christopher Austin, Tracy O'Steen, Brian Day, and Samuel Kornhauser. This case was filed in state court and removed August 23, 2010. *See* Notice of Removal, Dkt. #1. Defendant Robert McLaughlan filed a Motion to Dismiss (Dkt. #9) on August 30, 2010. Pursuant to LR 26-1, the parties were required to meet and/or confer as required by Fed. R. Civ. P. 26(f) within thirty days after the first defendant answered or otherwise appeared, and fourteen days thereafter, file a mandatory stipulated discovery plan and scheduling order. Counsel for Plaintiff requested this conference because the parties had not complied with LR 26-1 and the deadlines established in the discovery plan entered in state court before removal were fast approaching.

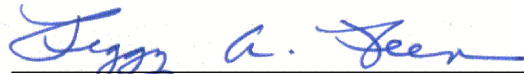
The court heard representations of counsel concerning their discovery needs. Counsel for Plaintiff suggested this case should be stayed until after decision of a Motion to Remand (Dkt #16). Counsel for Defendants requested that discovery proceed. As the same discovery will be needed whether this case proceeds here or is remanded and good cause for a stay has not been established the court will enter a discovery plan and give the parties 180 days from the hearing in which to complete discovery.

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**IT IS ORDERED:**

1. Plaintiff's Motion for Status Conference (Dkt #46) is **Granted**.
2. The following discovery plan and scheduling order dates shall apply:
  - a. The parties shall meet and/or confer as required by Fed. R. Civ. P. 26(f) not later than **4:00 p.m., December 28, 2010**.
  - b. Last date to complete discovery: **June 14, 2011**.
  - c. Last date to amend pleadings and add parties: **March 14, 2011**.
  - d. Last date to file interim status report: **April 16, 2011**.
  - e. Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2): **April 16, 2011**.
  - f. Last date to disclose rebuttal experts: **May 16, 2011**.
  - g. Last date to file dispositive motions: **July 14, 2011**.
  - h. Last date to file joint pretrial order: **August 14, 2011**. In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty days after a decision of the dispositive motions.
3. The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the pretrial order.
4. Applications to extend any dates set by this discovery plan and scheduling order shall, in addition to satisfying the requirements of LR 6-1, be supported by a showing of good cause for the extension. All motions or stipulations to extend discovery shall be received no later than **4:00 p.m., May 28, 2011**, and shall fully comply with the requirements of LR 26-4.

Dated this 14th day of December, 2010.

  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE